

WEDNESDAY, FEBRUARY 27, 1985

FIFTEENTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Dr. J. Delano Ellis, Pastor, Church of God in Christ, Memphis, Tennessee.

Representative DeBerry led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 93

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

The Speaker announced that Representative Williams was excused because of illness.

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ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 63, 117, 147, 160, 180, 182 and 187; House Resolution No. 10; and House Joint Resolutions Nos. 67, 68, 77 and 102; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 63, 117, 147, 160, 180, 182 and 187; House Resolution No. 10; and House Joint Resolutions Nos. 67, 68, 77 and 102.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 102, signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution 102; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

CALENDAR

House Bill No. 116--To create a state law library commission.

Mr. Murphy moved that House Bill No. 116 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill,

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Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --94.

A motion to reconsider was tabled.

House Bill No. 114--To provide certain license tags, retired judges.

Mr. Murphy moved that House Bill No. 114 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

Representatives present and not voting were: Chiles and Nance --2.

A motion to reconsider was tabled.

House Bill No. 115--To provide training, court reporters.

On motion, House Bill No. 115 was made to conform with Senate Bill No. 352.

On motion, Senate Bill No. 352, on same subject, was substituted for House Bill No. 115.

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Mr. Murphy moved that Senate Bill No. 352 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Wingham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

Mr. Murphy moved that House Bill No. 81 be placed on the Calendar for Wednesday, March 20, 1985, which motion prevailed.

House Bill No. 421--To regulate interest, bonds issued by counties.

On motion, House Bill No. 421 was made to conform with Senate Bill No. 665.

On motion, Senate Bill No. 665, on same subject, was substituted for House Bill No. 421.

Mr. Byrd moved that Senate Bill No. 665 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton),

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Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 253--To enact Prompt Pay Act of 1985.

Mr. Kisber moved that House Bill No. 253 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 253 be deleting from Section 12-4-703 in Section 1 the language "thirty (30) days" and by substituting instead the language "forty-five (45)".

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 253 by substituting for the language of the third paragraph of the amendatory language of Section 1 thereof the following:

Section 12-4-703. An agency which acquires property or services pursuant to a contract with a business shall pay for each complete delivered item of property or service in accordance with the provisions of the contract between the business and agency or, if no date or other provision for payment is specified by contract, within forty-five (45) days after receipt of the invoice covering the delivered items or services.

AND FURTHER AMEND by substituting for the second sentence of the last paragraph of the amendatory language of Section 1 thereof the following:

Interest at the rate of one and one-half percent (1 1/2%) per month shall accrue and is due any subcontractor or supplier who is not paid within thirty (30) days after the business receives payment from the agency, unless otherwise provided by contract between the agency and the business, or by contract between the business and the subcontractor or supplier.

On motion, the amendment was adopted.

Thereupon, House Bill No. 253, as amended, passed its third and final consideration by the following vote:

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Ayes 95
Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 217--To provide for Social Security, certain public employees.

Mr. Rhinehart moved that House Bill No. 217 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 217 (1) by deleting the current provisions of Section 8 and inserting the following:

Section 8. Tennessee Code Annotated, Section 8-38-113, is amended: (1) by changing the word "shall" to "may" in the first sentence; and (2) by inserting a period (.) after the word "chapter" and deleting the remainder of the sentence thereafter.

(2) by adding the following item to Section 10:

(4) by inserting in Subsection (b) the designations "(a) and (b)" after the Section number "8-38-114" in the text.

On motion, the amendment was adopted.

Thereupon House Bill No. 217, as amended, passed its third and final consideration by the following vote:

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Ayes 92
Noes 3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Moody, Moore (Sullivan) and Stafford--3.

A motion to reconsider was tabled.

House Bill No. 194--To allow certain employees to participate in retirement system.

Mr. Rhinehart moved that House Bill No. 194 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 194 by deleting Sections 1 and 2 in their entirety and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 35, Part 2 is amended by adding a new section which shall read as follows:

(a) The Tennessee Historical Society shall be a participating employer in the Tennessee Consolidated Retirement System upon passage of a resolution by the Society's Board of Directors authorizing such participation and accepting the liability incurred as a result of the participation by its director and administrative employees.

(b) The employees of the Society shall make the same contributions, participate in the same manner, and shall be eligible for the same benefits as employees of local governments participating in the retirement system under this Part.

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(c) The employees shall be entitled to credit for prior service as approved by the Board of Directors of the Society under the same provisions which apply to employees of local governments.

(d) Withdrawal of the Society from participation in the retirement system shall be governed by the provisions in this Part which apply to local governments.

(e) The retirement system shall not be liable for the payment of retirement allowances or other payments on account of employees of the Society or their beneficiaries for which reserves have not been previously created from funds contributed by the Society and/or its employees.

(f) It is the legislative intent that the State shall realize no increased cost as a result of this section. All costs associated with retirement coverage, including administrative costs, shall be the responsibility of the Society.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 194, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 129--To provide agricultural positions, Tennessee Tech.

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Mr. Rhinehart moved that House Bill No. 129 be passed on third and final consideration.

Mr. Scruggs moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 129 by adding at the end of Section 1 (c), the following:

Provided, however, this appropriation shall be subject to the approval or the commissioner of the department of finance and administration.

AND FURTHER AMEND by adding at the end of Section 2 (c), the following:

Provided, however, this appropriation shall be subject to the approval of the commissioner of the department of finance and administration.

Mr. Rhinehart moved that the Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	56
Noes	33

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Duer, Ellis, Gafford, Gaia, Gill, Hillis, Hobbs, Ivy, Jared, Jones, King, Kisber, Love, Miller, Murphy, Murray, Naifeh, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Stallings, Starnes, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--56.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Collier, Davis (Cocke), Davis (Knox), Frensley, Harrill, Hassell, Henry, Hurley, Huskey, Kent, Lawson, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Nance, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Whitson, Wolfe and Wood--33.

Thereupon, House Bill No. 129 passed its third and final consideration by the following vote:

Ayes	66
Noes	29

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), DeBerry,

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DePriest, Dills, Dixon, Duer, Ellis, Gafford, Garrett, Gill, Hillis, Hobbs, Hurley, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--66.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Davis (Cocke), Davis (Knoxville), Frensley, Gaia, Harrill, Hassell, Henry, Huskey, Lawson, May, McAfee, McCroskey, McNally, Montgomery, Moore (Shelby), Nance, Peroulas, Robinson (Washington), Scruggs, Stafford, Swann, Tankersley, Whitson, Wolfe and Wood--29.

A motion to reconsider was tabled.

House Bill No. 313--To regulate issuance, certain money orders.

Mr. Webb moved that House Bill No. 313 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Joint Resolution No. 98--Relative to congratulating Gordonsville H.S. Football team.

House Joint Resolution No. 99--Relative to honoring Cleveland Bradley County Water Safety Program.

House Joint Resolution No. 101--Relative to honoring memory Reverend R. Fenton Warren.

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Mr. Gill moved that all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Mr. Bragg moved that the Rules be suspended in order to present the Report of the Select Committee on Tax Structure be presented, which motion prevailed.

BILL REFERRED TO COMMITTEE

Mr. McNally moved that House Bill No. 506, which was withdrawn in error on February 14, be passed on second consideration and referred to the appropriate standing committee, which motion prevailed.

The Speaker referred House Bill No. 506 to the Committee on Commerce.

BILLS WITHDRAWN

Mr. McNally moved that House Bill No. 605 be recalled from the Committee on Finance, Ways and Means, which motion prevailed.

Mr. McNally moved that House Bill No. 605 be withdrawn from the House, which motion prevailed.

On motion of Ms. Gaia, House Bill No. 34 was recalled from the Committee on General Welfare.

On motion of Ms. Gaia, House Bill No. 34 was withdrawn from the House.

On motion of Mr. DePriest, House Bill No. 456 was recalled from the Committee on Conservation and Environment.

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On motion of Mr. DePriest, House Bill No. 456 was withdrawn from the House.

BILL RE-REFERRED

On motion of Mr. Wheeler, House Bill No. 362 was recalled from the Committee on Labor and Consumer Affairs.

On motion of Mr. Wheeler, House Bill No. 362 was referred to the Committee on General Welfare.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 97

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 124 out of order, which motion prevailed.

House Joint Resolution No. 124--Relative to confirming appointments to Tennessee Forestry Commission--By Ridgeway, Hillis, Curlee, Napier, Webb, Bewley, May, Davidson and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Hillis, the resolution was referred to the Committee on Conservation and Environment.

Mr. Shirley moved that the rules be suspended for the purpose of introducing House Resolution No. 13 out of order, which motion prevailed.

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House Resolution No. 13--Relative to honoring memory, Winslow Muse--By Shirley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Shirley, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Ellis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 121 out of order, which motion prevailed.

House Joint Resolution No. 121--Relative to honoring Guy B. Darst--By Ellis.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Ellis moved that House Joint Resolution No. 121 be adopted, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winingham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Resolution No. 14 out of order, which motion prevailed.

House Resolution No. 14--Relative to extending reporting deadline of Special House Committee, HR 138, 93rd General Assembly--By Wheeler.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Mr. Wheeler, the resolution was adopted.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 106--Relative to approving changes, Rules of Criminal Procedure--By Murphy.

The Speaker referred House Joint Resolution No. 106 to the Committee on Judiciary.

House Joint Resolution No. 107--Relative to approving changes, Rules of Appellate Procedure--By Murphy.

The Speaker referred House Joint Resolution No. 107 to the Committee on Judiciary.

House Joint Resolution No. 108--Relative to honoring local government, Sevier County--By Huskey and Davis (Cocke).

Under the rules, House Joint Resolution No. 108 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 109--Relative to honoring Reverend M. M. Solomon--By Drew.

Under the rules, House Joint Resolution No. 108 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 110--Relative to memory, Emma Anderson Cortner--By Phillips.

Under the rules, House Joint Resolution No. 110 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 111--Relative to commending Elaine Butner--By Phillips.

Under the rules, House Joint Resolution No. 111 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 112--Relative to honoring Howard Penuel--By Hobbs.

Under the rules, House Joint Resolution No. 112 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 113--Relative to commending Franklin Hughes Brown--By Mr. Speaker McWherter, Hillis and Rhinehart.

Under the rules, House Joint Resolution No. 113 was referred to the Committee on Calendar and Rules.

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House Joint Resolution No. 114--Relative to commending Herbert W. Kaiser--By Starnes.

Under the rules, House Joint Resolution No. 114 was referred to the Committee on Calendar and Rules.

House Resolution No. 11--Relative to approving Rules of Criminal Procedure--By Murphy.

The Speaker referred House Resolution No. 11 to the Committee on Judiciary.

House Resolution No. 12--Relative to approving Rules of Appellate Procedure--By Murphy.

The Speaker referred House Resolution No. 12 to the Committee on Judiciary.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 38--Relative to honoring William Hamilton Parks.

Under the rules, Senate Joint Resolution No. 38 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 42--Relative to congratulating Coach Bob Edens and football team.

Under the rules, Senate Joint Resolution No. 42 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 47--Relative to memory, James G. Cathey.

Under the rules, Senate Joint Resolution No. 47 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1027--To continue corporate existence, Gleason--By Mr. Speaker McWherter and Tanner.

Passed first consideration.

House Bill No. 1028--To regulate compensation, county election commission, certain counties--By Miller.

Passed first consideration.

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SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 67--To make provisions, inspection, certain elevators.

Passed first consideration.

Senate Bill No. 269--To regulate state representative districts.

Passed first consideration.

Senate Bill No. 273--To regulate collection, expungement of records, General Sessions Court.

Passed first consideration.

Senate Bill No. 328--To regulate state representative districts 83 and 93.

Passed first consideration.

Senate Bill No. 347--To amend oath administered to notaries.

Passed first consideration.

Senate Bill No. 373--To regulate campgrounds and camping club membership agreements.

Passed first consideration.

Senate Bill No. 430--To expand definition, premier type tourist resort.

Passed first consideration.

Senate Bill No. 464--To regulate amendments, charter, Tennessee Corporation.

Passed first consideration.

Senate Bill No. 488--To regulate reporting, soil conservation districts.

Passed first consideration.

Senate Bill No. 510--To regulate Tennessee Cancer Reporting System.

Passed first consideration.

Senate Bill No. 526--To regulate contractor's bond, labor and materials.

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Passed first consideration.

Senate Bill No. 561--To regulate natural areas preservation.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1023--To regulate board school commissioners, Warren County.

Passed second consideration and held without reference.

House Bill No. 1024--To amend Charter, Bolivar.

Passed second consideration and held without reference.

House Bill No. 1025--To make certain provisions, Reelfoot Levee District.

Passed second consideration and held without reference.

House Bill No. 1026--To make certain provisions, Madrid Bend Levee District.

Passed second consideration and held without reference.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 84--Brewer

House Bill No. 253--Henry, McNally, Frensley

House Bill No. 332--Napier

House Bill No. 420--Bell

House Bill No. 472--West

House Bill No. 495--Kernell

House Bill No. 651--Chiles (co-prime)

House Bill No. 714--Severance

House Bill No. 731--Starnes, Kent, Covington, Wood, Hurley, Moore (Sullivan), Davidson, Clark (Davidson)

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House Bill No. 875--Bell

House Joint Resolution No. 101--Frensey (co-prime)

REPORTS OF STANDING COMMITTEES

AGRICULTURE

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 357, 358 and 454 and further recommend that pursuant to House Rule No. 70, House Bills Nos. 357 and 454 be referred to the Committee on Finance, Ways and Means.

STALLINGS, Chairman.

Under the rules, House Bill No. 358 was transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 71, the Speaker referred House Bills Nos. 357 and 454 to the Committee on Finance, Ways and Means.

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 98, 208 (with amendment), 366, 501 (with amendment) and 678.

MURRAY, Chairman.

Under the rules, House Bills Nos. 98, 208, 366, 501 and 678 were transmitted to the Committee on Calendar and Rules.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 130 (with amendment), 332, 603, 714 and 731; and further recommend that House Bill No. 731 be referred to the Committee on Finance, Ways and Means.

HILLIS, Chairman.

Under the rules, House Bills Nos. 130, 332, 603, 714 and 731 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 71, the Speaker referred House Bill No. 731 to the Committee on Finance, Ways and Means.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 196 (with amendment), 319, 620, 691, 862 and 1004 and

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further recommend that pursuant to House Rule No. 70, House Bill No. 862 be referred to the Committee on Finance, Ways and Means.

WORK, Chairman.

Under the rules, House Bills Nos. 196, 319, 620, 691 and 1004 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 862 to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 59 and 193 (with amendment).

BRAGG, Chairman.

Under the rules, House Bills Nos. 59 and 193 were transmitted to the Committee on Calendar and Rules.

GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 84, 302, 316 (with amendment), 321, 488, 507 and 616 (with amendment) and further recommend that pursuant to House Rule No. 70, House Bill No. 84 be referred to the Committee on Finance, Ways and Means.

STARNES, Chairman.

Under the rules, House Bills Nos. 302, 316, 321, 488, 507 and 616 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 84 to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report the we have carefully considered and recommend for passage: House Bills Nos. 163, 392 and 624 and further recommend that House Bill No. 392 be referred to the Committee on Education and House Bill No. 624 be referred to the Committee on State and Local government.

KING, Chairman.

Under the rules, House Bill No. 163 was transmitted to the Committee on Calendar and Rules.

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The Speaker referred House Bill No. 392 to the Committee on Education.

The Speaker referred House Bill No. 624 to the Committee on State and Local Government.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 134, 266, 267, 275 (with amendment), 287 (with amendment), 335 (with amendment), 336, 351 (with amendment), 388, 557, 591, 600, 662, 692 and 827 (with amendments) and further recommend that pursuant to House Rule No. 70, House Bill No. 266 be referred to the Committee on Finance, Ways and Means.

MURPHY, Chairman.

Under the rules, House Bills Nos. 134, 267, 275, 287, 335, 336, 351, 388, 557, 591, 600, 662, 692 and 827 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 266 to the Committee on Finance, Ways and Means.

LABOR AND CONSUMER AFFAIRS

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 113, 268, 286 and 844 and further recommend that pursuant to House Rule No. 70, House Bill No. 844 be referred to the Committee on Finance, Ways and Means.

ELLIS, Chairman.

Under the rules, House Bills Nos. 113, 268 and 286 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 844 to the Committee on Finance, Ways and Means.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 71, 132 (with amendment), 140, 141, 242, 246, 277, 296, 341, 355, 376 (with amendment), 435 (with amendment), 436, 447, 499, 505 and 611 (with amendment) and further recommend that pursuant to House Rule No. 70, House Bill No. 132 (with amendment) be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

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Under the rules, House Bills Nos. 71, 140, 141, 242, 246, 277, 296, 341, 355, 376, 435, 436, 447, 499, 505 and 611 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 132 to the Committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bill No. 540.

ROBINSON (Davidson), Chairman.

Under the rules, House Bill No. 540 was transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, February 28, 1985: House Bills Nos. 314, 465, 460, 700, 389 and 131.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 114, 116, 129, 194, 217, 253 and 313; House Joint Resolutions Nos. 98, 99, 101 and 121; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 124, 1023, 689 and 728.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, February 28, 1985: Senate Joint

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Resolutions Nos. 38, 42 and 47; House Joint Resolutions Nos. 108, 109, 110, 111, 112, 113, 114 and House Bills Nos. 124, 1023, 689 and 728.

GILL, Chairman.

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m., tomorrow.